THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.1065 OF 2007

DATED: 02-07-2007

BETWEEN

Sri Ram Reddy,
S/o. Ram Reddy,
Occ: Business,
R/o.7-2-19/6,
Bairamulguda,
L.B. Nagar,
R.R. District.

...PETITIONER

AND

The Assistant Commissioner of Police,
Malakpet, Hyderabad and another.

...RESPONDENTS

ORDER:

The allegations made by the petitioner that in spite of obtaining anticipatory bail in Crl.MP.No.3217 of 2006 on the file of V Additional Metropolitan Sessions Judge, Nampally, Hyderabad to release him in the event of his arrest in connection with Cr.No.365 of 2006 under Sections 498-A and 506 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act, registered by the Station House Officer, Santoshnagar Police Station, the police is calling him to the police station and confining him in the police station for hours together, have all been denied.

2. In the counter it is stated that the police never summoned the petitioner or his family members except registering the aforesaid case against the petitioner and his family members and they were never detained in the police station as alleged by the petitioner. It is stated that this Court in Criminal Petition No.345 of 2007 dated 22.01.2007 stayed the investigation in the

aforesaid crime; therefore, the police could not complete the investigation. It is further stated that the post of SHO, Santoshnagar has been kept vacant since two months and there was never any occasion to illegally detain the petitioner or his family members.

3. In view of the categorical denial of the allegations of the petitioner, I do not see any merits in the writ petition and also that the disputed questions of fact cannot be decided in a writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

July 2, 2007
DSK